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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 MICHAEL MONTGOMERY,

11 Plaintiff,

12 vs.

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14 WAL-MART STORES, INC.;
15 KINDERHOOK INDUSTRIES II, LP;
16 KINDERHOOK INDUSTRIES, LLC;
17 KINDERHOOK CAPITAL FUND II,
18 LP; CRESTWOOD HOLDINGS,
19 INC.; BERGAN, L.L.C.; JOHN
ELMBURG; ROBERT ELMBURG;
20 ERIC ELMBURG; ROCKY FLICK;
HOME DEPOT U.S.A., INC.; DOES
1-20, inclusive,

21 Defendants.

CASE NO. 12CV3057 JLS (DHB)

**ORDER GRANTING JOINT
MOTION FOR CONTINUANCE OF
DUE DATES FOR OPPOSITION
PAPERS AND REPLY PAPERS
AND FOR CONTINUANCE OF
HEARING DATE OF THE
KINDERHOOK DEFENDANTS'
MOTION TO DISMISS OR, IN THE
ALTERNATIVE, TO STAY**

(ECF No. 64)

22 Presently before the Court is the parties' Joint Motion for Continuance of Due
23 Dates for Opposition Papers and Reply Papers and for Continuance of Hearing Date of
24 the Kinderhook Defendants' Motion to Dismiss or, in the Alternative, to Stay. (ECF
25 No. 64). Good cause appearing, the Court **GRANTS** the motion.

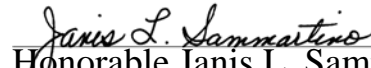
26 Plaintiff Michael Montgomery **SHALL FILE** an opposition to the Kinderhook
27 Defendants' motion on, or before, July 12, 2013. The Kinderhook Defendants **SHALL**
28 **FILE** a reply, if they wish, on, or before, July 19, 2013. The hearing of the Kinderhook

1 Defendants' motion will take place on Friday, August 2, 2013, at 3:00 p.m.

2 The parties have now requested three extensions of time, all of which have been
3 granted by the Court. No further requests for extension of time shall be entertained in
4 this matter.

5 **IT IS SO ORDERED.**

6
7 DATED: May 31, 2013

8 
9 Honorable Janis L. Sammartino
United States District Judge